

JEFFREY M. FORSTER (SBN 50519)
160 West Santa Clara Street, Suite 1100
San Jose, CA 95113
Telephone: (408) 977-3137
Facsimile: (408) 977-3141
Email: jforstr@pacbell.net

STEVEN R. LEVY (State Bar No. 103164)
17670 Woodland Avenue
Morgan Hill, CA 95037
Telephone: (408) 274-7000
Facsimile: (408) 274-9000
Email: slevy@bigfoot.com

Attorneys for Defendant, William Teitelbaum

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LAY SIOK LIN,

Plaintiff,

v.

PLATINUM TOO, LLC, BRUCE MABEY, and
WILLIAM TEITELBAUM,

Defendants.

CASE NUMBER: C 07 5551 WHA

STIPULATION TO SHORTEN TIME FOR
SETTING AND HEARING OF THE
MOTION OF DEFENDANT, WILLIAM
TEITELBAUM, TO SET ASIDE DEFAULT
AND ORDER THEREON

Judge: Hon. William Alsup
Courtroom: 9 (19th Floor)

Complaint Filed: October 31, 2007

Trial Date: January 5, 2009

Plaintiff, Lay Siok Lin, by and through her attorney, Matthew Metz, and Defendant, William Teitelbaum, by and through his attorneys, Steven Levy and Jeffrey Forster, stipulate as follows and request the Court to enter an order in accordance with this stipulation.

Defendant, William Teitelbaum, intends to bring a motion to set aside the default entered against him on or about January 24, 2008 primarily on grounds of invalid service. The motion would ordinarily require at least 35 days from the time of filing to the time of hearing.

Plaintiff, Lay Siok Lin, has previously filed an Application for Default Judgment presently set for April 3, 2008.

Matthew Metz and Steven Levy counsel conferred by phone on March 3, 2008 and agreed

1 the motion to vacate should be heard prior to the Application for Default Judgment.

2 Matthew Metz and Steven Levy agreed to a hearing date of April 3, 2008 for the Motion
3 of Defendant, William Teitelbaum, to Set Aside Default for the following reasons: (1) to allow
4 for hearing of the Motion to Set Aside Default prior to hearing of the Application for Default
5 Judgment; (2) to allow plaintiff the greatest possible time to respond to the motion to vacate; (3)
6 and to avoid rescheduling Application for Default Judgment.

7 Matthew Metz and Steven Levy also agreed to the following briefing schedule:

- 8 1. The motion and supporting papers shall be e-filed on or before March 4, 2008;
- 9 2. Plaintiff, Lay Siok Lin, shall file any opposition on or before March 19, 2008;
- 10 3. Reply papers, if any, shall be filed on or before March 26, 2008;

11 The only prior time modifications in this case were: (1) a stipulation/order that gave
12 defendants, Bruce Mabey and Platinum Too, LLC, an extension to January 14, 2008 to respond
13 to the Complaint, and (2) an expedited motion to withdraw by counsel for Platinum Too, LLC.

14 The approval of this stipulation does not appear as though it would negatively impact any
15 presently scheduled dates in this case.

16 Based on the agreement of counsel and for the reasons stated, it is requested that the
17 Court enter an order shortening time for the Motion of Defendant, William Teitelbaum, to Set
18 Aside Default and allow the motion to be heard April 3, 2008 with the agreed briefing schedule.

19 By signature below, it is so stipulated and counsel declare that the contents of this
20 stipulation are true and correct to the best of their knowledge..

21
22 Dated: March 4, 2008

s/s Matthew Metz
MATTHEW METZ
Attorney for plaintiff, Lay Siok Lin

23
24 Dated: March 4, 2008

s/s Steven Levy
STEVEN LEVY
Attorney for defendant, William Teitelbaum

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26 Dated: March 4, 2008

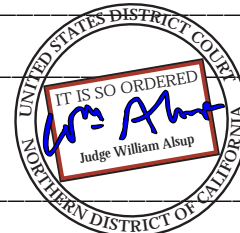
s/s Jeffrey Forster
JEFFREY FORSTER
Attorney for defendant, William Teitelbaum

1 ~~[PROPOSED]~~ ORDER SHORTENING TIME FOR SETTING AND HEARING OF THE
2 MOTION OF DEFENDANT, WILLIAM TEITELBAUM, TO SET ASIDE DEFAULT

3
4 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT,

- 5
6 1. The Motion of Defendant, William Teitelbaum, to Set Aside Default may be set
7 for April 3, 2008;
8 2. The motion and supporting papers shall be e-filed on or before March 4, 2008;
9 3. Plaintiff, Lay Siok Lin, shall file any opposition to the motion to vacate on or
10 before March 19, 2008;
11 4. Reply papers, if any, shall be filed on or before March 26, 2008;
12 5. [Other Conditions, if any] _____
13 _____

14
15 Dated: March 4, 2008.



16 HON. WILLIAM ALSUP
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